



**GETTYSBURG BOROUGH STORM WATER AUTHORITY  
TROXELL COUNCIL CHAMBERS  
59 E. HIGH STREET, GETTYSBURG, PA 17325  
(GBSWA) NOVEMBER 8, 2021 MEETING MINUTES**

**PRESENT: Members of the Board:** Michael S. Malewicki, Vice-Chair and Councilor; Wesley K. Heyser, Secretary and Councilor; Charles Strauss, Member, and Patrick L. Naugle, Member; **Absent Member of the Board:** John D. Lawver, Jr., Vice-Chair; **GBSWA Officials:** Charles R. Gable, Administrative Manager; Solicitor Adam D. Boyer, Barley Snyder; Borough Engineer Chad M. Clabaugh, C.S. Davidson; Director of Historic and Environmental Preservation Debra English; and Recording Secretary Karen Mesher; **Borough Staff Present:** Public Works Director Robert Harbaugh; **Members of the Public:** Certified Public Accountant and Partner Jennifer CruverKibi, MaherDuessel; and filming by Mark Wherley, *Community Media-ACCTV*.

**GBSWA – Call to Order**

Chair Malewicki called the meeting to order at 5:30 PM on November 8, 2021.

**Welcome and Opening Remarks**

Chair Malewicki welcomed everyone to tonight's meeting of the Authority and announced that a quorum of four members was present (Vice-Chair Lawver Jr. was absent), and that there were no opening remarks at this time.

**Announcements**

There were no announcements at this time.

**Approval of Agenda, Minutes, Bills**

Chair Malewicki requested a motion to accept the November 8, 2021 GBSWA Meeting Agenda as presented, the September 13, 2021 GBSWA Meeting Minutes as submitted, and to approve all bills and payroll as presented. Member Strauss made a **motion**, and Secretary Heyser seconded. The motion carried **4-to-0** without dissension.

**Public Comment for Items on the Meeting Agenda**

There was no public comment at this time.

**Financial Update**

- **Bank Balances – Charles Gable**

Administrative Manager Gable updated and reviewed GBSWA bank balances with the Authority to date. He said that the Authority has two Certificates of Deposit at ACNB Bank: CD #1 totaling \$150,006.16 which will mature on December 8, 2021, and CD #2 totaling \$150,100.30 which will mature on February 28, 2022. He said that the total available balance in the Authority's Checking Account to date at ACNB Bank is \$267,367.94, giving GBSWA a total in cash assets of \$567,474.40 which the Authority will be well-positioned to pay for Borough projects for this year and for next year.

- **Revenue / Expense Report – Charles Gable**

Administrative Manager Gable updated the Authority on the GBSWA collective revenue for the year 2021 as presented in his report to the Board based on an accounts payable model and asked the Authority to note when those accounts payable bills went out because it shows that 99.9 percent revenue was

collected this year, and it actually is a little lower than that. He noted that our expenses were \$340,781.95 leaving GBSWA with a \$169,242.05 fund balance. Engineer Clabaugh met with Finance Assistant Murdorf and confirmed that the Engineering costs were reassigned from Engineering to Capital Improvements based on an updated accounting by Engineer Clabaugh and did not affect the Authority's bottom line.

- **2020 Audit Presentation – Jennifer CruverKibi**

CPA/Partner Jennifer CruverKibi introduced herself to the Authority and explained the audit process. She told the members that the biggest change was the conversion from an accrual-based accounting system to a cash-based accounting system, noting that under the accrual bases system, the billing cycle does not align with the calendar year end; but that the cash-based system is easier and will align, and recognizes receipts and disbursements when they result from cash transactions. She said that the Statement of Net Position-Cash Basis for the Authority ending December 31, 2020 was \$376,301 (the total of current assets including cash and cash equivalents) and was the Total Net Position. She discussed the Authority's Statement of Receipts, Disbursements, and Changes in the Fund Net Position, noting the Total Operating Receipts at \$564,642, the Operating Gain at \$297,245, minus the Total Nonoperating Receipts (disbursements/contribution to the Borough of Gettysburg) at \$64,952 for a Change in Net Position of \$232,293. She said that at the beginning of the year 2020, the Net Position was \$144,008 added to the Change in Net Position of \$232,293 for a Total Net Position-Cash Basis at the end of the year 2020 for the Authority was \$376,301. She noted that the Authority transfers all stormwater related projects to the Borough of Gettysburg, and that the operational responsibility of the Authority rests with Borough Management. She discussed the Management Letter with the Authority which explains internal controls and identifies any weaknesses; and since the Authority (Borough staff) is small, internal controls (segregation of duties) are difficult to maintain. She also discussed best management practices utilizing the need to strengthen internal communication and utilizing system-operated reports (software to draw down reports), and the responsibilities of the Authority and Management, noting that there were not any sensitive disclosures. She discussed the Independent Auditor's Report (Management's Responsibilities for the Schedule and the Auditor's Responsibility); and that the Audit Report will be signed, verified, and electronically filed with the DCED, and the auditors gave GBSWA an "Unmodified Opinion on the Regulatory Basis of Accounting" where in the opinion of the auditor, the schedules present fairly (best opinion given). She said that a template of the report will be available to be published in the newspaper.

Chair Malewicki called for a motion to accept the 2020 GBSWA Audit Report as presented. Secretary Heyser made a **motion** that the 2020 GBSWA Audit Report be accepted as presented. The motion was seconded by Member Strauss and **carried 4-to-0 without dissention**.

Chair Malewicki thanked Ms. CruverKibi for her work and that it was much appreciated.

## **Current and Old Business**

### **A. Staff Updates**

- a) **2021 Collections Year-To-Date – Debra English**

Director English updated the Authority on GBSWA Collections to date: She said that out of the 1,960 bills sent out via US Mail in 2021, total payments \$490,800.00 has been paid of \$513,900 billed, of that \$23,100 is due not to include those on the quarterly payment plan. There are 209 delinquent payments due to include those on the payment plan with their second quarter due. She said that she did send out reminder notices for all delinquent payees on November 1, 2021 ( to include second quarter payees) and did receive twenty-three payments to date. These unpaid parcels were sent a notification/ reminder to make all payments within 30 days of notice or further action will be taken. In 2020 there were forty liens filed with ten payments received, and thirty liens still outstanding. Solicitor Boyer noted that the

pandemic foreclosure moratoriums nationwide have expired, and that sheriff's sales are beginning to pick-up. He noted that at the upcoming sheriff's sale, a property that contains two GBSWA liens is scheduled to be sold to a bank-related foreclosure. This sale represents the first time that a property lien by GBSWA will be sold at a sheriff's sale, and GBSWA should recoup funds owed to it through the proceeds of the sale. Director English shared her new GBSWA Brochure with the Authority and will make it available to the public for their information.

**B. Engineer's Report – Chad Clabaugh**

Engineer Clabaugh suggested that the Authority consider having an MOU with the Watershed Alliance which would satisfy the Public Education Outreach/Communication requirement for the Authority in the MS4 Report.

**a) South Street Project – Chad Clabaugh**

**i. Additional Pipe Order**

Engineer Clabaugh noted that the additional pipe order did not exceed \$11,500 but did contact three pipe suppliers (need to amend orders as they arrive) and adjust as they do work in the field. He said that it is difficult to get materials, so there is a need to move fast, and can sell back supplies if they are not needed. He said that a preconstruction meeting was held, and the pipes will be installed in November by Clearview Excavating from Glen Rock PA.

**ii. Right-of-Way (323 Baltimore Street)**

Engineer Clabaugh updated the Authority on the right-of-way at 323 Baltimore Street, stating that the current owner does not want to sell (and there is old, corrugated metal pipe that is at least 50 years old that needs replaced with a plastic pipe). He said that the property owner is concerned about an easement across his property that would make his property harder to sell in the future (if the GBSWA owned the pipe) but noted that actually an easement would make the property easier to sell because the cost to replace the underground pipe is borne by the property owner. Solicitor Boyer suggested contacting the realtor and underscore the importance of an easement. Engineer Clabaugh said that not having the easement would not interfere with the project moving forward.

**b) Quit Claim Deed (204 Carlisle Street)**

Engineer Clabaugh updated the Authority on the Quit Claim Deed at 204 Carlisle Street with the Authority stating that there is a seven-foot-wide partial stormwater conveyance swell (open swell) and does not object for the Borough to quit the claim. He said that the property owner is looking to clean-up the deed and ready it for sale. He emphasized that nothing will be built over that land.

**c) Culps Run – Chad Clabaugh**

**i. CAP Grant Request – Re Submitted by County**

Engineer Clabaugh said that the Countywide Action Plan (CAP) Grant is moving forward, and that municipalities had secured \$189,000 in 2020; and that the Borough is looking to secure \$420,000 in funding in 2021 for \$600,000 project cost. He said that the CAP Grant was resubmitted by the County.

**ii. No Fencing on Orchard**

Engineer Clabaugh said that no fencing or orchard construction was requested by NPS. He said that there would be a long-term maintenance agreement with the NPS that would prevent cattle from grazing in those fields and annually maintain those fields.

**iii. New Construction Cost Estimate**

**1. \$600,000...down from \$775,000**

Engineer Clabaugh said that land studies and contractors employed as needed and claimed \$80,000 in-kind archeological study on grant.; but said that the price point is really competitive for the grant.

## New Business

### **A. 2022 Budget – Charles Gable**

Manager Gable discussed the 2022 Budget (Summary and Detail) with the Authority and specific line items, highlighting how to recoup penalties from a lien (331), where grant money is awarded to Authority (357), eliminating highway and streets (363), stormwater fees (383), storm service and drains capturing expenditures over three years (436), recoup postage (415), grant revenue (357), discount (383) which represent monies collected: line item (200), face value (210), penalty (220). He did note that revenues balanced with expenditures. He discussed expenses, services rendered agreement, staff fees, postage, maintenance, and public relations. Engineer Clabaugh said that the Innerloop did not successfully receive grant money in 2021 but would apply for it in 2022, noting that “grant match” proves to be a big issue in securing funding. The Borough did receive CDBG funds totaling \$132,000/year over a three-year period. He will meet with the new DTNR director to walk the Innerloop in the future. He stressed that we need to do the Culp Run Stream Project if we want to do other projects.

Chair Malewicki discussed the Budget with the Authority; and after no further discussion, called for a motion to accept the 2022 GBSWA Budget as presented. Secretary Heyser made a **motion** to accept the 2020 GBSWA as presented. The motion was seconded by Member Naugle and **carried 4-to-0 without dissention**.

Manager Gable said that the 2022 GBSWA Budget is approved with no changes in fess, and he will advertise for inspection of the GBSWA Budget along with the Borough’s Draft 2022 Budget.

### **B. RRRs Updates – Debra English / Adam Boyer**

#### **a) Interest Calculations on Filed Liens**

Solicitor Boyer explained that the Municipal Claim and Tax Lien Law provides that a municipality or authority can collect reasonable interest on filed liens; however, the RRRs do not currently provide a mechanism for GBSWA to collect such interest which will eventually result in GBSWA losing money on liens due to inflation. He also noted that throughout the course of the year, he and staff noted a few provisions of the RRRs that should be updated to allow for smother internal practices. Chair Malewicki asked for staff to send suggestions to the Authority. Director English said that out of seventy quarterly GBSWA payments, thirty-five are from private property owners; and asked if these payments should be discontinued or kept. She also asked how to separate payments so delinquent bills are not mailed out at the same time as new bills. Chair Malewicki asked for suggestions for these issues as well.

## Public Comment for Items Not on the Agenda

There was no public comment at this time.

## Adjournment

Chair Malewicki requested a motion to adjourn. **Motion** was made by Secretary Heyser, **seconded** by Member Strauss, and passed **4-to-0** without dissention. Meeting adjourned at 6:44 PM.

Respectfully submitted by:

Karen Mesher, Planning Management Assistant  
GBSWA Recording Secretary